

**RECEIVED
CENTRAL FAX CENTER****DEC 19 2005****FAX TRANSMISSION****DATE:** December 19, 2005**PTO IDENTIFIER:** Application Number 10/049,986-Conf. #2684
Patent Number**Inventor:** Seishi Nagamori**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** EDWARDS ANGELL PALMER & DODGE LLP

John B. Alexander, Ph.D.

PHONE: (617) 439-4444**Attorney Dkt. #:** 56972(71526)**PAGES (Including Cover Sheet):** 8**CONTENTS:** Transmittal (1 page)
Response to Notice of Non-Compliant Amendment (2 pages)
Copy of stamped mailroom postcard (1 page)
Certificate of Transmission (1 page)
Copy of the Notice of Non-Complaint Amendment (2 pages)

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PTO/SB/97 (09-04)

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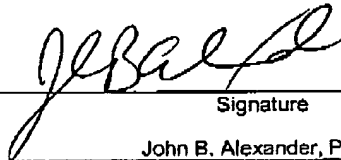
Application No. (if known): 10/049,986

Attorney Docket No.: 56972(71526)

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on December 19, 2005
Date



Signature

John B. Alexander, Ph.D.

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48,399

Registration Number, if applicable

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Telephone Number

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Transmittal (1 page)

Response to Notice of Non-Compliant Amendment (2 pages)

Copy of stamped mailroom postcard (1 page)

Copy of the Notice of Non-Complaint Amendment (2 Pages)

PTO/SB/21 (09-04)

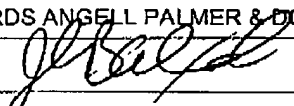
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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	10/049,986-Conf. #2684
		Filing Date	July 1, 2002
		First Named Inventor	Seishi Nagamori
		Art Unit	1648
		Examiner Name	T. M. Brown
Total Number of Pages in This Submission	6	Attorney Docket Number	56972(71526)

RECEIVED
CENTRAL FAX CENTER
DEC 19 2005

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Response to Notice of Non-Compliant Amendment (2 pages) 2. Stamped Mail room postcard 3. Copy of the Notice of Non-Complaint Amendment
<div style="border: 1px solid black; padding: 5px; min-height: 40px;"> Remarks </div>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	EDWARDS ANGELL PALMER & DODGE LLP	
Signature		
Printed name	John B. Alexander, Ph.D.	
Date	December 19, 2005	Reg. No. 48,399

**RECEIVED
CENTRAL FAX CENTER****DEC 19 2005**Docket No.: 56972(71526)
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:
Seishi Nagamori

Application No.: 10/049,986

Confirmation No.: 2684

Filed: July 1, 2002

Art Unit: 1648

For: METHOD AND APPARATUS FOR
PROLIFERATING HEPATITIS VIRUS

Examiner: T. M. Brown

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENTMS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants are in receipt of the Notice of Non-Compliant Amendment dated November 17, 2005 issued in connection with the above-captioned patent application. The Notice indicates that the amendments to the drawings were not properly identified in the top margin as "Replacement Sheets."

As noted in the amendment filed November 3, 2005, a copy of the originally filed drawings were attached to the amendment. That is, the drawings attached to the amendment were merely attached for the convenience of the Patent Office. No amendments, including a translation of the text, was made to the Drawings in the amendment filed November 3, 2005.

Eight (8) sheets of drawings containing English language text were filed as part of the §371 application package filed on February 20, 2002. A copy of the Japanese language international application, including eight (8) sheets of drawings with Japanese characters, was also filed with the §371 application package. Thus, the at the time of

Application No. 10/049,986
Response to Notice of Non-Compliant Amendment dated December 19, 2005
Reply to Office Action of May 4, 2005

Docket No.: 56972(71526)

filing of the application, drawings having both English text and Japanese text were filed. A copy of the stamped mail room post card is attached to this letter as evidence of the filing of the eight (8) English language sheets of figures.

Thus, the drawings filed on November 3, 2005 were not replacement sheets and need not be marked as such.

Applicants respectfully request withdrawal of the notice of non-compliant amendment and consideration of the amendment filed November 3, 2005. Applicants further believe that the instant response is a *bona fide* response to the Notice which is sufficient to toll the time period set forth in the Notice.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Dated: December 19, 2005

Respectfully submitted,

By 

John B. Alexander, Ph.D.

Registration No.: 48,399

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Boston, Massachusetts 02205

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Attorneys/Agents For Applicant

PFC 1**Return Postcard – Non-Provisional Application (priority claimed)**

Mailing Date: February 20, 2002	Docket No.: 56972
Client No.: 71526	Atty/Sec.: PFC:smd
Applicant: Seishi NAGAMORI	
Inventor: Seishi NAGAMORI	
Title: METHOD AND APPARATUS FOR PROLIFERATING HEPATITIS VIRUS	10/049986
JCO7 Rec'd PCT/PTO 20 FEB 2002	
The date stamp of the Patent and Trademark Office hereon will be taken as the date of filing of:	
New U.S. National Phase Based on	
Int. Filing Date: 21 August 2000	Int. Appl. No.: PCT/JP00/05582
Priority Date: 20 August 1999	Int. Publ. No.: _____
Priority Appl. No.: 11/233647	Priority Country: Japan

<input checked="" type="checkbox"/> Specification	<u>34</u> Pages	<input checked="" type="checkbox"/> PCT/IB/301	<input checked="" type="checkbox"/> Check for \$ <u>1326.00</u>
<input checked="" type="checkbox"/> Claims	<u>3</u> Pages	<input checked="" type="checkbox"/> PCT/IB/308	<input type="checkbox"/> Resp. to Correct Defects
<input checked="" type="checkbox"/> Drawings	<u>8</u> Sheets	<input type="checkbox"/> PCT Request Form and Fee Calculation Sheet	
<input type="checkbox"/> Declaration and POA	_____ Pages	<input type="checkbox"/> PCT Chapter II Demand and Fee Calc. Sheet	
<input type="checkbox"/> Preliminary Amendment	_____ Pages	<input type="checkbox"/> Art. 19 Amend.	<input type="checkbox"/> Translation
<input type="checkbox"/> Assignment	_____ Pages	<input checked="" type="checkbox"/> Prelim. Examination Report	<input type="checkbox"/> Translation
<input type="checkbox"/> Sm. Entity Status Form	_____ Pages	<input checked="" type="checkbox"/> Annexes	<input type="checkbox"/> Translation
<input checked="" type="checkbox"/> IDS <input checked="" type="checkbox"/> 1449 Form	<input checked="" type="checkbox"/> Refs.	<input checked="" type="checkbox"/> Int. Search Rep.	<input checked="" type="checkbox"/> Refs. <input type="checkbox"/> Translation
<input checked="" type="checkbox"/> Sequence Listing (paper copy), Disk containing Sequence Listing and Statement in Support			
<input checked="" type="checkbox"/> Other: PCT/RO/105, PCT/ISA/202, PCT/IB/306,332, PCT/IPEA/401,402			
Art. 34 And, Reply to Written Opinion, Notifications			
Due Date: <u>2/20/02</u>	Express Mail Label No.: <u>EL932680825US</u>		

This return postcard is your unofficial filing receipt. Please check to ensure it received the correct date stamp from the PTO and that it has been assigned a serial number. Below are the dates that have been docketed for this application.

ACTION**DUE DATE DOCKETED**

Information Disclosure Statement

done

Filing Receipt Received?

08/20/2002

First Office Action Received?

02/20/2003

Notice to File Missing Parts Rec'd?

04/20/2002

Certified Copy Due

N/ADocketed By: LRD

Atty/Sec Approval: _____

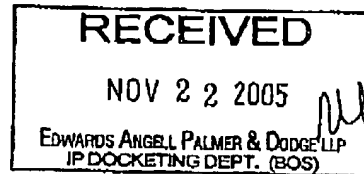
PPC/CCO/JBA 56972 (71526)



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/049,986	07/01/2002	Seishi Nigamori	56972 (71526)	2684
21874	7590	11/17/2005		
EDWARDS & ANGELL, LLP P.O. BOX 55874 BOSTON, MA 02205				
EXAMINER BROWN, TIMOTHY M				
ART UNIT		PAPER NUMBER		
1648				



DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Amendment due
EDWARDS ANGELL PALMER & DODGE LLP
101 Federal St. Boston, MA 02110
Docketed For *12/17/05 - 5/17/06*
By *ML*
Approved _____

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No. <u>10/049986</u>	Applicant(s)	
	Examiner <u>E. T. M. Brown</u>	Art Unit <u>1648</u>	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

The amendment document filed on 11-3-05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☒ 3. Amendments to the drawings:
 - ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____
- ☐ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____
- ☐ 5. The amendment is unsigned or not signed in accordance with 37 CFR 1.4.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

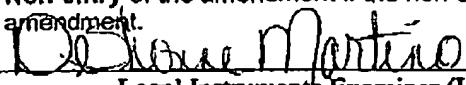
TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given no new time period if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire corrected amendment must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given one month, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121 or 1.4, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.


 Legal Instruments Examiner (LIE)

571-272-0538
 Telephone No.